

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UMG RECORDINGS, INC., *et al.*,

Plaintiffs,

vs.

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§§ Civil Action No. 1:18-mc-00613-LY_____

GRANDE COMMUNICATIONS
NETWORKS LLC and PATRIOT MEDIA
CONSULTING, LLC,

Defendants.

**DECLARATION OF GREGORY
BOSWELL IN SUPPORT OF
PLAINTIFFS' AND NON-PARTY RIGHTSCORP, INC.'S SUPPLEMENTAL MOTION
TO SEAL CERTAIN EXHIBITS**

I, Gregory Boswell, declare as follows:

1. I am the lead software developer at Rightscorp, Inc. ("Rightscorp"), and I am also one of its founders.
2. I submit this declaration in support of Plaintiffs' and Rightscorp's Supplemental Motion to Seal Certain Exhibits. I have personal knowledge of the facts set forth below and/or have learned of these facts as a result of my position and responsibilities at Rightscorp. If called upon and sworn as a witness, I could and would testify competently as to the matters set forth herein.
3. I am the lead developer of Rightscorp's proprietary system that identifies infringements and the perpetrators of the infringements (by IP address, port number, time and date) by monitoring BitTorrent peer-to-peer file sharing networks, and extracting information about the infringing activity, including, the IP address, the port, the internet service provider, the infringing content being uploaded, and the peer computer accessing BitTorrent networks. I will refer to this system collectively as the "Rightscorp System."

4. While I and other Rightscorp personnel have described the Rightscorp System at a general level in declarations, during depositions, and at trial, Rightscorp considers the specific technical details of the Rightscorp System's software code and operation to be trade secrets and highly confidential and proprietary information. Rightscorp has not intended to disclose this specific confidential information, nor am I aware of it having been disclosed, in such testimony.

5. Rightscorp does not reveal the specific technical details of the Rightscorp System's software code and operation publicly. Rather, Rightscorp takes steps to protect this information through confidentiality agreements, designating the information as confidential and proprietary, and ensuring that business counterparts and employees do not disclose or misuse the information.

6. Rightscorp is particularly careful to protect its software code itself, as evident by the very deliberate and exacting confidentiality measures it insisted upon when making the code available for inspection by the parties' experts in this case (e.g., installing the code on a computer that could not be connected to the internet, negotiating and concluding a heightened confidentiality agreement with Grande and its expert).

7. Rightscorp derives substantial economic value by virtue of the Rightscorp System's confidential nature and the fact that the Rightscorp System's technical details are not known publicly or by competitors or other entities with whom Rightscorp interacts. If the specific technical details concerning the Rightscorp System were revealed publicly, Rightscorp would face the prospect of serious competitive or financial harm. Competitors would be able to use the information to improve their own competing software systems. Internet service providers and users of BitTorrent would be able to use the information to attempt to thwart or circumvent Rightscorp's infringement monitoring capabilities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 28th day of September, 2018, in Ventura, California

A handwritten signature in black ink, appearing to read 'Gregory Boswell', with a large, stylized initial 'G'.

/s/

Gregory Boswell